

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

*In re* Flint Water Cases.

Judith E. Levy  
United States District Judge

\_\_\_\_\_/

This Order Relates To:

ALL CASES

\_\_\_\_\_/

**ORDER REGARDING MATTERS DISCUSSED AT THE  
SEPTEMBER 30, 2020 STATUS CONFERENCE**

The Court held a status conference regarding its pending Flint Water litigation on September 30, 2020. The Court now orders as follows:

**I. *In re* Flint Water Cases Discovery Coordination**

The Honorable Joseph J. Farah discussed his proposed timeline for issuing an opinion and order on a pending motion for reconsideration in the state court cases.

**II. Individual Cases**

The Court informed the parties that the answer deadlines in *Walters* and *Sirls* for the City of Flint individual defendants shall be fourteen days from the date of the conference, on October 14, 2020.

The Court updated the parties regarding its procedure for adjudicating the motions to dismiss on statute of limitations grounds filed in many individual Flint Water Cases. Co-liaison counsel for the individual plaintiffs will email Judge Levy's law clerk a list of those cases for which an affidavit or declaration has been submitted, and a list of those where no affidavits or declarations have been filed. The Court will then issue a decision in one or more cases and determine a manner of applying the ruling to other cases.

### **III. Bellwether Cases**

The Court informed the parties that it received and will enter a proposed amended scheduling order related to remaining dates for the four round-one bellwether cases.

With regard to the selection process and collection of Fact Sheets and Authorizations for the second group of bellwether adult Plaintiffs, the Court addressed this issue at the September 23, 2020 discovery conference. Co-liaison counsel will meet and confer with Defendants and report the outcome at the next conference.

#### **IV. Report from the Special Master**

The Special Master provided a report to the Court regarding the settlement process. The details of the settlement have not been provided to the public because the proposed settlement has not yet been provided to the Court. When the settlement documents are filed with the Court, the documents will be public. All terms and details will be available to the public. There will also be a schedule setting forth the time for interested parties to review the settlement and make the necessary determinations regarding it.

The Special Master also provided an update on the ongoing claims process.

#### **V. Video Discovery Conferences**

The following dates are set for a video discovery conference as needed: **Thursday October 8, 2020** at 2:00pm and **Wednesday October 21, 2020** at 2:00pm, if needed. The Court will provide video teleconference connection information and a pre-conference agenda in Case No. 16-cv-10444.

## **VI. Scheduling of Next Status Conference**

The next status conference will be held on **Wednesday October 28, 2020** at 2:00pm. Parties are to file proposed agenda items in Case No. 16-cv-10444 by October 14, 2020. Individual liaison counsel should collect proposed agenda items from all counsel representing individual plaintiffs and submit those proposed items as a single filing. The Court will issue an agenda by October 21, 2020.

IT IS SO ORDERED.

Dated: October 1, 2020  
Ann Arbor, Michigan

s/Judith E. Levy  
JUDITH E. LEVY  
United States District Judge

## **CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on October 1, 2020.

s/William Barkholz  
WILLIAM BARKHOLZ  
Case Manager